

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 932

93RD GENERAL ASSEMBLY

2006

4624S.08T

AN ACT

To repeal sections 50.327, 50.339, 52.230, 54.040, 59.331, 228.040, 228.070, and 228.190, RSMo, and to enact in lieu thereof ten new sections relating to county officials.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 50.327, 50.339, 52.230, 54.040, 59.331, 228.040, 228.070, and 228.190, RSMo, are repealed and ten new sections enacted in lieu thereof, to be known as sections 49.292, 50.327, 50.339, 52.230, 54.040, 59.331, 59.332, 228.040, 228.190, and 473.748, to read as follows:

49.292. 1. Notwithstanding any other law to the contrary, the county commission of any county may reject the transfer of title of real property to the county by donation or dedication if the commission determines that such rejection is in the public interest of the county.

2. No transfer of title of real property to the county commission or any other political subdivision by donation or dedication authorized to be recorded in the office of the recorder of deeds shall be valid unless it has been proved or acknowledged. The preparer of the document relating to subsection 1 of this section shall not submit a document to the recorder of deeds for recording unless the acceptance thereof of the grantee named in the document has been proved or acknowledged.

50.327. Notwithstanding any other provisions of law to the contrary, the

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

2 salary schedules contained in section 49.082, RSMo, sections 50.334 and 50.343,
3 51.281, RSMo, 51.282, RSMo, 52.269, RSMo, 53.082, RSMo, 53.083, RSMo, 54.261,
4 RSMo, 54.320, RSMo, 55.091, RSMo, 56.265, RSMo, 57.317, RSMo, [and] 58.095,
5 RSMo, **and 473.742, RSMo**, shall be set as a base schedule for those county
6 officials, unless the current salary of such officials, as of August 28, 2005, is lower
7 than the compensation provided under the salary schedules. Beginning August
8 28, 2005, the salary commission in all counties except charter counties in this
9 state shall be responsible for the computation of salaries of all county officials;
10 provided, however, that any percentage salary adjustments in a county shall be
11 equal for all such officials in that county.

50.339. 1. In any county of the first classification with more than
2 seventy-one thousand three hundred but less than seventy-one thousand four
3 hundred inhabitants, the salary commission at its meeting in 2003 and at any
4 meeting held in 2004 may equalize the base salary for each office to an amount
5 not greater than that set by law as the maximum compensation. Nothing in this
6 section shall be construed to prevent offices which have additional compensation
7 specified in law from receiving such compensation or from having such
8 compensation added to the base compensation in excess of the equalized salary.

2. Notwithstanding any provision of section 50.343, **50.333, or 50.327** to
10 the contrary, in any county of the first classification with more than sixty-eight
11 thousand six hundred but less than sixty-eight thousand seven hundred
12 inhabitants, the salary commission may meet in the year [2004] **2007** to
13 determine whether to equalize the base salary for the office of treasurer **and**
14 **public administrator** with the base salaries of [other county officers at an
15 amount not greater than the amount set as the maximum compensation in
16 subdivision (1) of subsection 1 of section 50.343] **the offices of auditor and**
17 **recorder of deeds.**

52.230. Each year the collectors of revenue in all counties of the first class
2 not having a charter form of government, and in all second, third and fourth class
3 counties of the state, not under township organization, shall mail to all resident
4 taxpayers, at least [fifteen] **thirty** days prior to delinquent date, a statement of
5 all real and tangible personal property taxes due and assessed on the current tax
6 books in the name of the taxpayers. Such statement shall also include the
7 amount of real and tangible personal property taxes delinquent at the time of the
8 mailing of the statement, including any interest and penalties associated with the
9 delinquent taxes. Such statement shall declare upon its face, or by an

10 attachment thereto, that they are delinquent at the time such statement is mailed
11 for an amount of real or tangible personal property taxes, or both. Collectors
12 shall also mail tax receipts for all the taxes received by mail.

54.040. 1. **A candidate for county treasurer shall be at least
2 twenty-one years of age and a resident of the state of Missouri and the
3 county in which he or she is a candidate for at least one year prior to
4 the date of the general election for such office. The candidate shall
5 also be a registered voter and shall be current in the payment of all
6 personal and real estate taxes. Upon election to such office, the person
7 shall continue to reside in that county during his or her tenure in
8 office.**

9 2. No sheriff, marshal, clerk or collector, or the deputy of any such officer,
10 shall be eligible to the office of treasurer of any county.

59.331. The preparer of a document shall not include an individual's
2 [federal Social Security number] **sensitive personal identifying information**
3 in a document that is prepared and presented for recording in the office of the
4 recorder of deeds. **"Sensitive personal identifying information" includes**
5 **federal Social Security numbers, bank account numbers, and credit**
6 **card account numbers.** This section does not apply to state or federal tax
7 liens, military separation or discharge papers, and other documents required by
8 law to contain such information that are filed or recorded in the office of the
9 recorder of deeds. **Should any person's sensitive personal identifying**
10 **information appear on any document prepared or submitted for**
11 **recording, the preparer, submitter, or anyone in an agency relationship**
12 **with the person may redact, remove, or delete the sensitive personal**
13 **identifying information before submission to the recorder of**
14 **deeds. Any such redaction, removal, or deletion shall not in any way**
15 **affect the legal status of the transaction described in the**
16 **document. The recorder of deeds shall not alter or modify any**
17 **document in the official record except as otherwise provided by law.**

59.332. 1. **Should any sensitive personal identifying information,**
2 **as defined in section 59.331, appear in any record or image viewable on**
3 **any publicly available Internet web site maintained or sponsored by a**
4 **recorder of deeds, any person may apply to the recorder of deeds for**
5 **redaction or removal of that sensitive personal identifying**
6 **information. Any such application shall be made in writing, signed by**

7 the applicant, his or her attorney, or legal guardian, and shall
8 specifically identify the document or documents containing the
9 sensitive personal identifying information. The application shall be
10 accompanied by a legible copy of each recorded document affected by
11 the application, upon which the sensitive personal identifying
12 information that is to be redacted is highlighted or otherwise
13 indicated. Upon receipt of an application submitted in compliance with
14 this section, the recorder of deeds may redact or remove the affected
15 document from the records viewable on the publicly available Internet
16 web site.

17 **2. The provisions of this section shall only apply to any county**
18 **with a charter form of government and with more than six hundred**
19 **thousand but fewer than seven hundred thousand inhabitants.**

228.040. When the petition required by section 228.020 is presented, and
2 upon proof of notice having been given as required in section 228.030, if no
3 remonstrance is filed and if the petitioners give the right-of-way for the proposed
4 road or pay into the county treasury an amount of money equal to the whole
5 amount of damages claimed by landowners through whose land the proposed road
6 would run, the county commission[, without discretion to do otherwise, must]
7 **may open said road if the commission determines that it is in the public**
8 **interest of the county**, and thereupon the commission shall proceed as in
9 sections 228.010 to 228.190 provided in cases where upon a hearing the
10 commission find it necessary to establish a road.

228.190. 1. All roads in this state that have been established by any
2 order of the county commission, and have been used as public highways for a
3 period of ten years or more, shall be deemed legally established public roads; and
4 all roads that have been used as such by the public for ten years continuously,
5 and upon which there shall have been expended public money or labor for such
6 period, shall be deemed legally established roads; and nonuse by the public for
7 five years continuously of any public road shall be deemed an abandonment and
8 vacation of the same.

9 **2. From and after January 1, 1990, any road in any county that**
10 **has been identified as a county road for which the county receives**
11 **allocations of county aid road trust funds from or through the**
12 **department of transportation for a period of at least five years shall be**
13 **conclusively deemed to be a public county road without further proof**

14 of the status of the road as a public road. No such public road shall be
15 abandoned or vacated except through the actions of the county
16 commission declaring such road vacated after public hearing, or
17 through the process set out in section 228.110.

473.748. 1. As used in this section, the terms "conservator",
2 "guardian", "protectee", and "ward" shall have the same definitions as in
3 section 475.010, RSMo.

4 2. Any term, provision, consideration, or covenant in any
5 contract for treatment, goods, or services shall be unenforceable if such
6 term, provision, consideration, or covenant requires a public
7 administrator who is acting as a guardian or conservator to personally
8 pay, assume, or guarantee the debt or account of a ward or protectee.

[228.070. No county commission shall order a road
2 established or changed until such proposed road or change has
3 been examined and approved by the county highway engineer.]

✓

Bill

Copy